

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SUSAN DAVIS,

Plaintiff,

v.

COMMISSIONER of the SOCIAL SECURITY
ADMINISTRATION,

Defendant.

No. CV 05-125-PK

OPINION AND ORDER

MOSMAN, J.,

On June 8, 2006, Magistrate Judge Papak issued Findings and Recommendation ("F&R") (#13) in the above-captioned case recommending that the Commissioner's decision denying plaintiff's application for Disability Insurance Benefits (#) be reversed and remanded under sentence four of 42 U.S.C. § 405(g). No objections have been filed.

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Upon review, I agree with Judge Papak's recommendation, and I ADOPT the F&R as my own opinion. The Commissioner's decision denying Ms. Davis' application for benefits is REVERSED and REMANDED under sentence four.

IT IS SO ORDERED.

DATED this 14th day of July, 2006.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Court